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Audit Subcommittee of the Legislative Management Committee

President John L. Valentine, Co-Chair • Speaker Greg J. Curtis, Co-Chair
Senator Mike Dmitrich • Representative Ralph Becker

February 7, 2007

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President John Valentine
Speaker Greg Curtis
Members of the Legislative Audit Subcommittee

Subject: A Limited Review of the Guardian ad Litem's Case Management System Shows Evidence of Progress

President Valentine:

Pursuant to your specific request, we have conducted a limited review of the guardian's case management system in light of the recent funding request for additional guardian attorneys and staff. Also, in response to our 2005 audit of the Office of the Guardian ad Litem (GAL or guardian), we were asked to conduct a detailed follow up audit re-examining several audit issues. If the Audit Subcommittee so directs, we will be able to perform the detailed follow up audit at a later date.

In the 2005 audit we were concerned with the reliability of caseload figures and the guardian's inability to have adequate caseload information as a management tool. In that audit we recommended that the guardian's office adopt a reliable case management system to track caseloads and provide case statistics. In this limited review, we assess the progress made on the new case management system and its effectiveness to provide management reports on caseload statistics and act as a management tool to the guardian director. Overall, we found that:

1. The guardian's new case management system is now on-line and can provide functions to be used as a management tool, with some existing limitations they are working to fix.

2. The implementation of the new case management system seems reasonable despite the appearance of a delay in bringing it on-line.
3. While still subject to human error, the caseload data since our 2005 audit is more accurately tracked and shows fewer errors.
4. In light of the guardian's efforts to improve case load tracking and management shown in one through three above, it seems reasonable that the Legislature respond to their efforts and consider granting additional funding. However, it was beyond the scope of this limited review to recommend an exact number of additional staff.
5. If prioritized by the Audit Subcommittee, a detailed follow up audit, which has been requested, will provide us more time to research some additional issues concerning internal support for the guardian's office and usage of the system by guardians, as well as their ability to perform statutory duties, and other issues.

Guardian Case Management System is On-Line with Some Limitations

We have verified that the guardian's new case management system is now being used to input client information and track required guardian duties. However, further design and implementation is needed to provide full management functions. This system is a module within the Utah Courts' larger system called the Courts Agencies Record Exchange (CARE). CARE was implemented to aid in the administration of the juvenile justice system. The purpose of the guardian module or "applet" is to provide a better tracking and record keeping system to ensure the children represented by the guardians are thoroughly represented, according to their statutory duties found in *Utah Code* 78-3a-912.

The guardian applet came on-line December 14, 2006. Therefore, guardians have only been actively recording statutory duties in the system for about two months. This limited time frame makes a potential detailed follow up incomplete until sufficient data accrues in the new system (approximately one full year). However, the guardians have had access to the larger CARE system since its implementation on November 28, 2005. While CARE has been able to provide guardians with juvenile court records (such as hearing dates and judicial orders) since November 2005, the applet will provide a more focused, guardian duty-driven management tool allowing them to track activities such as child visits, Division

of Child and Family Services (DCFS) investigation information, mental health documents, and other case management information.

The system is designed so that when a guardian performs a specific duty, such as a visit to the child, the activity can be recorded and later queried. The guardian applet will provide information on a child's name, case number, family history, delinquency information, assessments performed and services given, as well as detailed documents used to manage the case. This will be useful as a management tool to understand issues, such as which children have been visited and who still needs a visit, in a readily accessible format. We met with the Courts' information technology (IT) representative and guardian administrative staff and saw the draft reports and tools necessary to manage the cases.

Management Reports Still Being Designed for Enhancement. Currently, in order to pull some specific management records from the guardian applet, the Courts' IT staff, not the guardian director, has to query the data. IT and guardian staff are in the process of designing and implementing reports that, upon completion, each guardian will be able to generate on their own. IT staff hopes to have these reporting functions prioritized for implementation around March 2007. We were shown the proposed enhancement to the guardian applet; this will allow the director and other staff to review, at a glance, the number of court appearances and other meetings attended, client contacts, reviewed and prepared documents, and other management tools. We believe this will greatly enhance the use of the guardian data and encourage the Administrative Office of the Courts to give a high prioritization to implementation of this module.

Time Since Our Previous Audit Until CARE System Implementation Appears Reasonable

In the 2005 audit we reported that the Court's new case management system, Courts Agencies Record Exchange (CARE) was due to come on-line in 2005. In fact, it did come on-line on November 28, 2005. Although the CARE system came on-line at this time, as discussed above, the guardian applet was not available for another year. Initially, we had concerns that the case management system was not further along in its implementation; however, after discussions with IT representatives and a cursory review of the CARE system implementation flowchart and other system information, we believe this was a reasonable amount of time in order to minimize complications. And, as will be discussed in the next section, efforts were made by the guardian to improve the current tracking system while waiting for the guardian applet of CARE to come on-line.

IT staff reports that the CARE system has been in development since 1998. Further, in order for the guardian applet to function, crucial system developments had to be made. For example, in order for a guardian to open a new case, the CARE system needed to provide an automatic database connection when a guardian is assigned to a child. According to IT, this connection (along with other system improvements) took from November 2005 to February 2006. From February to December 2006, IT worked on improving basic functions, fixed system errors, and performed other tasks working to improve CARE and the guardian applet. This includes, the preliminary implementation of the applet, allowing guardians to review case lists and ensure the applet recorded the correct case assignment information. Since December, guardians have been using the system to input case information. If there is an IT problem, guardians log a call to Court support services.

Again, our opinion after a limited review of the implementation of this complete system overhaul, is that we believe the time line seems reasonable. Initial design and planning took about two years before the actual development and testing phase began. The system launched with some set backs but not enough to thwart progress. Fifteen months after initial implementation, enhancements are being made but the system appears to be performing the necessary functions for reliability. In addition, the Administrative Office of the Courts reports to us that only federal grant monies were used to develop and implement CARE. Courts' staff time was used during the process but no additional appropriations were given.

Existing Case Tracking Appears to Have Improved, Pending New Case Management

Based on this limited review, the accuracy of the caseload tracking from what was reported in our 2005 audit through 2006 appears to have improved. While awaiting the new case management system, the guardian made changes in the existing tracking system to facilitate easier use by the attorneys. Since our last audit, the tracking system has evolved to spell out each step of a case from beginning to end for closer monthly tracking. Although these improvements did not eliminate all human error, our limited testing appears to show improved accuracy. As mentioned, we expect that the new case tracking system will allow for more pronounced improvements.

Legislature Should Consider Additional Funding

In our 2005 report we recommended the Legislature consider whether to provide additional funding for reducing caseloads (see report 2005-01, Chapter III, recommendation two). The recommendation was based on the guardian showing evidence

of improvement to the case management system. We believe this limited review demonstrates the guardian has made efforts to improve case tracking and management.

Also in the 2005 audit, we showed that “in order to reduce reported GAL caseloads to 100, the Legislature would have to increase the number of GALs by about 22 GAL positions, with corresponding support staff and office expenses” (2005-01, page 32). This discussion was meant only to illustrate the number of attorneys needed to reach one available national standard. We did not recommend 22 additional guardians, nor were we able to verify caseloads. In this limited review, we believe the guardian has worked towards improving the case management system and also believe it is reasonable for the Legislature to consider additional funding for more staff. However, we cannot specify the exact number of staff to impact caseloads until there is enough data in the new system to verify workload.

A Detailed Follow Up Audit Will Allow More Time for Further Research

Due to the time restrictions of this limited review, we were unable to examine some issues of concern. One concern is that some of the management reports and tools the guardian applet will generate are only as good as the data that is input. Guardians and support staff must be diligent in inputting client information into the system. One problem we reported in our 2005 audit was the reliability of case data because guardians had not always maintained accurate records. Although the new system will automatically track the number of opened, closed, and transferred cases—which were our concerns before—it will require guardians to input more specific case information.

For example, a guardian can record in the system that he or she reviewed a particular document, such as the DCFS service plan created for each child. However, if the guardian has more specific notes concerning the service plan, he or she is required to add the information in the notes section. This notes section allows for unlimited text which can also be linked to another file, if the two cases are related, but the guardian must input the notes and link the case information. We believe it is a comprehensive system only if the data input is accurate and subsequent management reports are satisfactory. We could review the guardians’ progress in using the case management system in a detailed follow up. This review is important because it would give an independent report of the guardian’s fulfillment of statutory duties.

Our second concern deals with the understanding that the guardian’s office has requested appropriations to increase the number of both attorneys and support staff which

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would help alleviate high caseloads. Depending on whether increased staff is given, this could place additional demands on the guardian director and her administration. However, this support issue would need to be examined in a more detailed follow up.

Finally, if directed, the follow up audit would also allow us to revisit some of the issues from the 2005 audit, including the guardian's role in district court and in the "best interest of the child" standard, as well as other issues detailed in the follow up request. Overall, this follow up would best be conducted in late 2007 to allow the new system to accrue auditable data.

We hope this addresses your specific concerns regarding the status of the Guardian ad Litem case management system. If you have any further questions, please call DeAnna Herring at (801) 326-1744.

Sincerely,

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Auditor General

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